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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,675	11/07/2002	David M. Arkin	2023	9269

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EXAMINER

GUSHI, ROSS N

ART UNIT PAPER NUMBER

2833

DATE MAILED: 09/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,675

Applicant(s)

ARKIN ET AL.

Examiner

Ross N. Gushi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in —

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a);

Claims 1, 3, 5, 7, 8, 15, 17, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Fan.

Per claims 1, 15, 20 Fan discloses a power supply apparatus for coupling electricity between a power source and a device, comprising a body 1 having at least one aperture and at least one electrical contact 3 configured to mate with the power source; at least one light source 5 arranged within the body; and at least one light transmitting cover (see figure 2), configured to cover the at least one aperture, having indicia thereon (see figure 2); the at least one light source arranged to radiate through the at least one aperture and backlight the indicia.

Per claims 3, 17, the at least one light source is one of at least one light emitting diode and at least one incandescent light.

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Per claim 5, the body is configured for mating with a vehicle cigarette lighter socket.

Per claim 7, Fan discloses an electrical conductor 61, 62, coupled with the at least one contact, the electrical conductor configured to couple electricity received from the power source via the at least one contact with the device.

Per claims 8, 19, the body is formed from at least two shell parts configured to mate together.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6, 9-13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan in view of Lam as in claims 1, 15.

Regarding claims 2, 16, Fan does not discuss whether the cover is removable. Lam discloses a cigarette lighter socket display apparatus including a light transmitting cover which is removable (col. 3, lines 20-25). At the time of the invention, it would have been obvious to make the Fan cover removable. The suggestion or motivation for doing so would have been to allow the user to select a cover of choice as taught in Lam, col. 3, lines 20-25.

Regarding claim 6, Lam and Fan do not specify whether the indicia is on a backside of the cover. The choice of whether indicia would be on the front or backside

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would have been a matter of obvious engineering choice, being merely a reversal of parts. In re Gazda, 104 USPQ 400 (CCPA 1963).

Regarding claims 9, 12, 13, to the extent that Lam and Fan do not discuss whether the indicia is translucent or opaque or other aesthetic features of the indicia, the aesthetic characteristics of the indicia which have no mechanical function cannot be relied on to patentably distinguish the invention. In re Seid, 161 F.2d 229 (CCPA 1947).

Regarding claims 10, 11, Fan does not mount the LED on a board. Lam discloses 37 mounted on circuit board 23. At the time of the invention, it would have been obvious to mount the Fan led on a circuit board as taught in Lam. The suggestion or motivation for doing so would have been to simplify manufacturing and assembly of the device, as taught implicitly in Lam and as is well known in the art. Per claim 11, the Lam led is mounted in an aperture in the board. At the time of the invention, it would have been obvious to mount the Fan led in an aperture in a board as taught in Lam. The suggestion or motivation for doing so would have been to simplify manufacturing and assembly of the device, as taught implicitly in Lam and as is well known in the art.

Claims 1, 4, and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Seefried in view of Eisenbraun. Seefried discloses a power supply apparatus for coupling electricity between a power source and a device, comprising a body 14 having at least one aperture and at least one electrical contact configured to mate with the power source; at least one light source 11 arranged within the body; and at least one light transmitting cover 2, configured to cover the at least one aperture, the

at least one light source arranged to radiate through the at least one aperture and backlight the indicia.

Seefried does not disclose indicia on the cover. Eisenbraun discloses a power supply apparatus including lenses 22 including writing or symbols illuminated on the lens (col. 3, lines 14-16). At the time of the invention, it would have been obvious to include writing or symbols on the Seefried cover as taught in Eisenbraun. The suggestion or motivation for doing so would be to provide decorative or identification markings, as taught in Eisenbraun and as is well known in the art.

Per claim 4, Seefried discloses at least two apertures and two of the at least two apertures are located on opposing sides of the body, respectively.

Per claim 14, Seefried uses light pipes to redirect the light to the cover portions.

Claims 4 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan as in claims 1 and 15 in view of Eisenbraun and Seefried. Fan does not disclose two apertures. Eisenbraun suggests that the Fan illuminated portion is not visible from various orientations (Eisenbraun col. 1, lines 20-47). Seefried discloses a connector including a plurality of apertures (at the ends of arms 4, 5, 6, and 7) for transmitting light. At the time of the invention, it would have been obvious to include a plurality of apertures in the Fan device including apertures on opposite sides of the body, as taught in Seefried. The suggestion or motivation for doing so would have been to allow the light to be seen from various angles as taught in Eisenbraun and Seefried.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (703) 306-4508. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Paula A. Bradley, can be reached at (703) 308-2319. The phone number for the Group's facsimile is (703) 308-7766

rng

A handwritten signature in black ink, appearing to read "Ross Gushi", with a stylized flourish at the end.